

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: § 87(2)(b) Paul Lozada	Team: Squad #9	CCRB Case #: 201707535	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 09/06/2017 1:40 AM	Location of Incident: Crown Street and Dearborn Court	Precinct: 71	18 Mo. SOL 3/6/2019	EO SOL 3/6/2019	
Date/Time CV Reported Wed, 09/06/2017 4:25 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 09/11/2017 4:34 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. DTS Steven Lopez	5827	938880	SRG
2. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LSA Kevin To	00000	920902	SRG
2. DTS Edwin Espinal	4873	934831	SRG
3. POM Peter Lazare	05579	948374	SRG

Officer(s)	Allegation	Investigator Recommendation
A.DTS Steven Lopez	Force: Detective Steven Lopez struck § 87(2)(b) with a vehicle.	§ 87(2)(b)
B. An officer	Abuse: An officer stopped § 87(2)(b)	§ 87(2)(b)
C. An officer	Abuse: An officer stopped § 87(2)(b) Unknown.	§ 87(2)(b)
D. An officer	Abuse: An officer searched § 87(2)(b)	§ 87(2)(b)
E. An officer	Abuse: An officer searched § 87(2)(b) Unknown.	§ 87(2)(b)

### Case Summary

On September 6, 2017, Lt. Kevin To of Strategic Response Group City-Wide Anti-Crime filed this complaint on behalf of § 87(2)(b) -old § 87(2)(b) with the Internal Affairs Bureau via telephone, generating IAB log number 2017-35125. On September 13, 2017, IAB forwarded this complaint to the CCRB.

The IAB Referral Log provided a mailing address for § 87(2)(b) and a telephone number for § 87(2)(b)'s father, § 87(2)(b). On September 15, 2017, a call was made to this number and a voicemail was left. On September 19, 2017, a second call was made to this number, and § 87(2)(b) § 87(2)(b) provided a telephone number and another mailing address for § 87(2)(b) and gave the CCRB permission to obtain a statement from § 87(2)(b).

On September 19, 2017, September 21, 2017, and September 25, 2017, calls were made to § 87(2)(b) at the number provided by § 87(2)(b) § 87(2)(b) and voicemails were left on each of these calls. Letters were sent to § 87(2)(b) at the address provided on the IAB Referral Log on September 15, 2017 and September 26, 2017, and letters were sent to him at the address provided by § 87(2)(b) § 87(2)(b) on September 19, 2017 and September 26, 2017. None of these letters were returned by the United States Postal Service.

On September 27, 2017, a third call was made to § 87(2)(b) and § 87(2)(b) updated his contact information, provided a telephone statement, and scheduled an interview for September 29, 2017. During this call, § 87(2)(b) identified 16-year-old § 87(2)(b) and an individual known only as § 87(2)(b) as additional victims, whom the officers had allegedly stopped, searched, and released without summonses. On September 29, 2017, § 87(2)(b) called the undersigned and rescheduled his interview for October 3, 2017. On October 2, 2017, an automated SMS reminder was sent to § 87(2)(b).

On October 3, 2017, § 87(2)(b) and § 87(2)(b) § 87(2)(b) appeared at the CCRB. § 87(2)(b) stated his intention to withdraw his portion of this complaint because he had no interest in moving forward with this complaint and wanted to avoid any potential negative consequences of pursuing this complaint. § 87(2)(b) affirmed that this withdrawal was voluntary and that he was not coerced by any member of the NYPD or the CCRB. § 87(2)(b) and § 87(2)(b) § 87(2)(b) signed a withdrawal form, which has been added to the case file. On November 29, 2017, Manager Ethan De Angelo reviewed the recorded withdrawal (IA#43, beginning at 00:00) and confirmed that it fell within agency guidelines.

During his telephone statement on September 27, 2017, § 87(2)(b) provided a telephone number for § 87(2)(b). Calls were made to this number on October 5, 2017, October 11, 2017, October 13, 2017, October 17, 2017, and October 20, 2017, and voicemails were left on each of these calls. A search of BADS revealed two telephone numbers, one mailing address, and one e-mail address associated with § 87(2)(b). On October 20, 2017, a call was made to the first number, and the voice mailbox was full. The answering machine indicated that this number belonged to § 87(2)(b) and prompted the undersigned to send an SMS notification to § 87(2)(b). On the same day, a call was made to the second number revealed in the BADS search, and § 87(2)(b) § 87(2)(b) father, answered the phone. § 87(2)(b) stated that § 87(2)(b) cannot be reached at this number. § 87(2)(b) identified § 87(2)(b) as § 87(2)(b) mother and confirmed her telephone number and § 87(2)(b) mailing address. § 87(2)(b) § 87(2)(b) stated that

§ 87(2)(b) does not currently have his own telephone number and agreed to pass the undersigned's number along to § 87(2)(b)

Additional calls were made to § 87(2)(b) on October 23, 2017, October 25, 2017, October 27, 2017, and November 1, 2017. Voicemails were left on the first three of these four calls. On the fourth call, the voice mailbox was full and another SMS notification was sent. Letters were sent to § 87(2)(b) at the address confirmed by § 87(2)(b) on October 20, 2017, October 27, 2017, and November 3, 2017, and one of these three letters was returned by the United States Postal Service. E-mails were successfully sent to § 87(2)(b) on October 20, 2017, October 27, 2017, and November 29, 2017. A search of Lexis Nexis revealed two additional phone numbers associated with § 87(2)(b) address. Calls were made to the first number on October 27, 2017, November 1, 2017, November 8, 2017, and November 29, 2017; there was no response or active voicemail capability on any of these calls, and the first and fourth calls ended with a fax machine noise. Calls were made to the second number on October 27, 2017 and November 1, 2017. On the first call, there was no response or active voicemail capability, and the call automatically disengaged. On the second call, the respondent stated that the undersigned had dialed the wrong number and that he did not know anyone by the name of § 87(2)(b). Searches of CTS, White Pages, the Cole Directory, CLEAR, and the DMV database did not yield any additional contact information for § 87(2)(b). To date, the undersigned has been unable to establish contact with § 87(2)(b).

§ 87(2)(b) was unable to provide § 87(2)(b)'s last name or any of his contact information. A request to the Internal Affairs Bureau for the Stop, Question, and Frisk Report Index and for any Stop, Question, and Frisk Report prepared at the incident location was returned with negative results on November 28, 2017. None of the subject or witness officers' memo books make any mention of them interacting with any individual named § 87(2)(b). To date, the third victim remains unidentified.

On November 29, 2017, a search of the NYC Department of Correction database revealed no record of § 87(2)(b) being incarcerated. § 87(2)(g)

§ 87(2)(b) Seeing as the investigation was unable to establish contact with § 87(2)(b) and seeing as the third victim known only as § 87(2)(b) remains unidentified, § 87(2)(g)

Squad No.: 9

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Title & Name

\_\_\_\_\_  
Date